

# JUSTICE OF THE PEACE

PCT. 1, CLAY COUNTY, TEXAS

John Swenson, Justice of the Peace

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July 13, 2021

*Hon. Casey Polhemus*

By Fax to 940/894-6203

District Attorney, 97<sup>th</sup> Judicial District  
PO Box 55  
Montague, TX 76251

RE: Magistration of Cases #JP-20211193 and JP-2021-193A

Dear Ms. Polhemus:

I request that your office investigate the Clay County Sheriff's conduct *in two case that this court magistrates on July 12, 2021. JP-2021-193 is a family violence against Sara Johnson, and JP-2021-193A is a family violence case against her boy friend Landon Goad. They were both arrested at the same family violence incident. They were held in jail for approximately 46 hours before I was notified that they were ready for magistration.*

*At magistration I made a finding of "no probable cause for arrest" in both cases. I noted on the PC Affidavit in each case that "probable cause does not exist" and that "the cause is Dismissed". Later that day the Sheriff contacted me and said words to the effect "that they would be in jail in the morning and they would have PC. I assumed he was going to get a warrant from another magistrate, but on the morning of July 13, 2021, I found that they were still in jail on the original arrest.*

On July 13, 2021, I contacted you for an appointment regarding this matter. I then contacted the Sheriff's Dispatcher to obtain a copy of the original PC Affidavit that I had signed during magistration in the jail; I was advised that it may have been destroyed.

The treatment of Ms. Johnson and Mr. Goad, and the Sheriff's disregard for this court's order are matters of grave concern. Therefore I am requesting that your office investigate the matter.

Very truly yours,

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John Swenson, Justice of the Peace

Encl:           - copies of PC Affidavits  
              - Jail Roster Photo